

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Priority Issues**

The Office Action indicates that some of the certified copies of the priority documents have been received (see item 12 on page 1 of the Office Action). However, the Office Action does not indicate which certified copies have not been received.

In view of the above, the Applicants believe that on page 1 of the Office Action box 12(b) was accidentally checked, rather than box 12(a). As a result, the Applicants kindly request correction or clarification in regards to the claim for foreign priority.

### **II. Amendments to the Specification and Abstract**

The specification and abstract have been reviewed and revised to improve their English grammar. Attached are two versions of the substitute specification, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

### **III. Amendments to the Drawings**

Figures 7 and 8 were objected to for not being labeled as “Prior Art.” As mentioned above, proposed drawing amendments are submitted herewith under a separate cover letter. Specifically, Figures 7 and 8 have been amended to be identified as prior art, as requested on page 2 of the Office Action. As a result, withdrawal of this objection is respectfully requested.

These drawing amendments are editorial in nature and do not add new matter to the application.

#### **IV. Amendments to the Claims**

Claim 5 has been cancelled without prejudice or disclaimer of the subject matter contained therein.

Further, independent claims 1 and 9-11 have been amended include limitations similar to those previously recited in cancelled claim 5 and to clarify features of the invention recited therein so as to overcome the 35 U.S.C. § 112, second paragraph rejection and the 35 U.S.C. § 101 rejection discussed in detail below.

It is also noted that claims 1-3 and 6-11 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

#### **V. 35 U.S.C. § 101 Rejection**

Claim 9 was rejected under 35 U.S.C. § 101 for failure to recite statutory subject matter. Specifically, claim 9 was rejected for reciting a computer program, which is not a statutory class. Claim 9 has been amended to recite a computer-readable recording medium having a program recorded thereon, such that the program causes a computer to execute a method.

As a result, claim 9 is now directed to statutory subject matter and withdrawal of this rejection is respectfully requested.

## **VI. 35 U.S.C. § 112, Second Paragraph Rejection**

Claim 3 was rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the rejection states that claim 3 is not consistent with claim 1, because claim 3 recites that a signal from an amplification section (i.e., second acoustic signal) is output on a line, whereas claim 1 indicates that the second acoustic signal is an acoustic wave. This rejection is believed clearly inapplicable to claim 3, because claims 1 and 3 have been amended to clarify that the second acoustic signal is an electric signal. Therefore, it is clear that claims 1 and 3 are now consistent with each other and satisfy the requirements of 35 U.S.C. § 112, second paragraph. As a result, withdrawal of this rejection is respectfully requested.

## **VII. Allowable Subject Matter**

Claims 5 and 6 were identified by the Examiner as being allowable if rewritten in independent form to include all of the limitations of base claim 1. The Applicants would like to thank the Examiner for this indication of allowable subject matter.

As mentioned above, independent claim 1 has been amended to include the subject matter of claim 5, which was identified by the Examiner as containing allowable subject matter.

Accordingly, in view of the Examiner's indication of allowable subject matter as discussed above, it is submitted that amended independent claim 1 and claims 2-4 and 6-8 that depend therefrom are allowable.

Furthermore, as mentioned above, independent claims 9-11 have also been amended to include the subject matter of claim 5, which was identified by the Examiner as containing allowable subject matter. Specifically, independent claim 9 is a program version of allowable claim 1, independent claim 10 is an integrated circuit version of allowable claim 1, and claim 11 is a method version of allowable claim 1.

Accordingly, in view of the Examiner's indication of allowable subject matter as discussed above and for the same reasons discussed above regarding independent claim 1, it is submitted that amended independent claims 9, 10 and 11 are allowable.

### **VIII. 35 U.S.C. § 102 and § 103(a) Rejections**

Claim 3 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Ito. Further, claims 1, 2, 4, 7-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Ito, Pedersen, Danielsen, and Benesty. These rejections are considered moot in view of the above indication of allowable subject matter. As a result, withdrawal of these rejections is respectfully requested.

## **IX. Conclusion**

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining

Respectfully submitted,

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